

U.S. FISH AND WILDLIFE SERVICE  
MOUNTAIN-PRAIRIE REGION  
Greater Yellowstone Ecosystem Grizzly Bear Delisting

PUBLIC HEARING - CODY, WYOMING

April 11, 2016

Cody Holiday Inn

HEARING OFFICER:	LESLEY TRAVERS
DEPUTY REGIONAL DIRECTOR:	MATT HOGAN
Mountain-Prairie Region	

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## P R O C E E D I N G S

5:00 p.m.

MS. TRAVERS: This is a public hearing regarding the Greater Yellowstone Ecosystem Grizzly Bear Delisting. Please begin to take your seats.

We are now on the record.

Good evening and welcome to this public hearing. My name is Lesley Travers, and I will be your hearing officer tonight.

My role is to conduct this hearing in order that we receive your comments accurately into the record, and to allow as many of you as possible any opportunity to comment on the proposed delisting rule for the Greater Yellowstone Ecosystem grizzly bear.

I represent no point of view about grizzly bears or their recovery, delisting. I am not affiliated with the U.S. Fish and Wildlife Service, and I don't represent them.

My purpose here tonight is to help things run smoothly and to allow as many of you as possible an opportunity to comment on the U.S. Fish and Wildlife Service's proposal to remove the grizzly bear in the Greater Yellowstone Ecosystem from the List of Endangered and Threatened Wildlife.

If you have already signed in, or if you have

1 questions, you will find a registration table outside  
2 this room with Fish and Wildlife Service staff to  
3 assist you and answer your questions.

4 This is a public hearing under Section  
5 4(b)(5)(E) of the Federal Endangered Species Act, as  
6 amended. Notice of the public hearing was published in  
7 the Federal Register on March 11, 2016, in volume 81 of  
8 the Federal Register, on Pages 13174 through 13227.

9 The comment period ends at the close of  
10 business on May 10, 2016. After review and  
11 consideration of your comments and all other  
12 information gathered during this comment period, the  
13 U.S. Fish and Wildlife Service expects to make a final  
14 determination on the proposal in 2016.

15 The purpose of the hearing is to receive your  
16 comments on the proposal. Comments on all aspects of  
17 the proposal are very important and will be carefully  
18 considered. Because of the importance of your  
19 comments, it is necessary that we follow certain  
20 procedures this evening.

21 If you want to present comments at this  
22 hearing, please register at the table outside this  
23 room.

24 When you register, indicate any organization  
25 that you are representing in your comments today. I

1 will call speakers in the order they are registered.  
 2 Your comments tonight will be recorded and transcribed  
 3 by a court reporter.

4 Both the transcript and all written comments  
 5 will be reviewed by the U.S. Fish and Wildlife Service  
 6 in considering its final decision to remove the grizzly  
 7 bear in the Greater Yellowstone Ecosystem from the List  
 8 of Endangered and Threatened Wildlife.

9 A website and mailing address is also  
 10 available at the information table for the additional  
 11 bear information and comments.

12 Members of the public will be given  
 13 three-minute slots for the duration of the public  
 14 hearing with a one-minute warning. I will check with  
 15 the court reporter periodically to see if she needs a  
 16 short break to recover.

17 Smoking is not permitted in the Holiday Inn,  
 18 and if crowds are large, we must abide by the Fire  
 19 Marshal's recommendation for room capacity.

20 I will call speakers in the order in which  
 21 they are provided to me by the registration desk. When  
 22 you are called to present your comments, please come  
 23 forward to the microphone in front. Begin your  
 24 presentation by stating your full name, spell it for  
 25 the record, and indicate if you represent an

1 organization.

2 If you are reading your comments, please take  
3 care to read them slowly enough for the court reporter  
4 to understand. Also, if possible, please provide the  
5 court reporter a written copy of the comments that you  
6 read. Your comments are being recorded by the reporter  
7 to preserve them for the record.

8 Please keep in mind that the reporter will  
9 not record any statements from the audience or  
10 statements which are made to the audience. Comments  
11 must be made directly into the microphone, facing the  
12 front of the room.

13 Instead of presenting oral comments here  
14 tonight, or in addition to oral comments, you may  
15 submit comments in writing. There are no limits on the  
16 length of written comments.

17 Written comments may be submitted to the  
18 staff at the registration table, or they may be  
19 submitted by one of the following methods:

20 Electronically, go to the Federal eRulemaking  
21 Portal, <http://www.regulations.gov>. In the search box,  
22 enter FWS-R6-ES-2016-0042, which is the docket number  
23 for this rulemaking. Then click on the "Comment Now"  
24 button.

25 By hard copy, submit by U.S. Mail or

1 hand-delivery to: Public Comments Processing, Attn:  
2 Docket No. FWS-R6-ES-2016-0042, U.S. Fish and Wildlife  
3 Service, MS:BPHC, 5275 Leesburg Pike, Falls Church, VA  
4 22041-3803.

5 This information is also available at the  
6 registration table just outside the room.

7 The U.S. Fish and Wildlife will not accept  
8 email or faxes and will post all comments on the  
9 <http://www.regulations.gov> website. We appreciate  
10 everyone's cooperation in minimizing distractions.

11 As this is a formal public hearing and  
12 testimony only, we cannot allow questions, comments,  
13 applause, jeers or demonstrations. The hearing is  
14 scheduled to adjourn at 8:00 p.m.

15 Earlier today at the Holiday Inn, an open  
16 house proved an opportunity for the public to ask  
17 questions and obtain additional information on the  
18 Service's proposal.

19 Written comments submitted tonight or by  
20 regular mail or electronic mail will receive the same  
21 review by Service officials.

22 I would like to introduce Matt Hogan, Deputy  
23 Regional Recorder in the Mountain-Prairie Region and  
24 Chris Servheen, Grizzly Bear Recovery Coordinator. They  
25 are here to listen to your testimony and are not here

1 to answer questions.

2 They will take a few minutes to briefly  
3 summarize the proposed rule.

4 After their presentation, I will go over the  
5 instructions for tonight's public hearing and ask for  
6 testimonies to begin. The hearing will adjourn at 8:00  
7 tonight.

8 MR. HOGAN: Thanks everyone for joining us.  
9 Like Leslie said, I'm Matt Hogan, Deputy Regional  
10 Director for the Fish and Wildlife Service out of  
11 Denver.

12 Chris Servheen, our grizzly bear coordinator,  
13 is sitting in the back of the room raising his hand.

14 So, as Leslie said, we, the U.S. Fish and  
15 Wildlife Service, is proposing to remove the grizzly  
16 bear in the Greater Yellowstone Ecosystem from the List  
17 of Endangered and Threatened Wildlife.

18 The best scientific and commercial data  
19 available indicates that grizzly bears in the GYE are  
20 recovered and no longer meet the definition of  
21 endangered or threatened under the Endangered Species  
22 Act of 1973, as amended.

23 The GYE grizzly bear population is stable,  
24 threats are addressed, and a post-delisting monitoring  
25 and management framework has been developed.



1           We expect federal and state agencies to make  
2   any necessary changes to their respective regulations  
3   implementing that framework within the next several  
4   months.

5           If this proposal is finalized, the grizzly  
6   bear would be delisted in the GYE, and future  
7   management for this species, except in National Parks  
8   and National Wildlife Refuges, would be conducted by  
9   the appropriate state or tribal wildlife agencies.

10          We seek information, data, and comments from  
11   the public about this proposal including the  
12   post-delisting monitoring and management framework.

13          Again, thanks for joining us tonight.

14          MS. TRAVERS: Are there any questions related  
15   to the procedures or ground rules before we begin?

16          If not, we will get started.

17          The first speaker is Chuck Neil. Please come  
18   to the microphone, state your name and spell it for the  
19   record, identify who you represent and begin your  
20   comments.

21          MR. NEAL: My name is Chuck Neal. And on  
22   Mondays, I spell it N-E-A-L. My grandfather was a  
23   McNeal, so we kind of digress a little bit.

24          I don't represent any organization other than  
25   myself. I oppose this delisting proposal. The reason

1 why I oppose it is because the bear is not recovered.

2 The bear is recovering, but he's not recovered.

3 Remember, numbers are not the final arbiter  
4 of recovery, it's occupied, contiguous habitat as the  
5 final arbiter.

6 The reason that the bears of Yellowstone are  
7 not and cannot be recovered under present circumstances  
8 is because they live on an island, an island that the  
9 state of Wyoming has stated they intend to make  
10 smaller.

11 Island populations are by very definition  
12 always at risk, not only from genetic concerns, which  
13 you've already talked about at length, but also  
14 demographic, environmental and catastrophic concerns,  
15 any of which can take down an island population and  
16 island.

17 The best way to address this island isolation  
18 of Yellowstone is connectivity to other bear  
19 populations. I think that I can consider that Fish and  
20 Wildlife Service is truly serious about genuine grizzly  
21 bear recovery when they establish a viable grizzly bear  
22 population in central Idaho, a secure practical linkage  
23 habitat between the Yellowstone bears and other  
24 populations to the north and west. Until then, I can't  
25 support delisting.

1 MS. TRAVERS: Thank you.

2 Don Schmalz.

3 MR. SCHMALZ: Yes, I'm Don Schmalz from the  
4 North Fork right here at Cody, Wyoming. And I have a  
5 ranch out there. I was an outfitter for 38 years in  
6 this country and in the back country.

7 THE REPORTER: Would you spell your name.

8 MR. SCHMALZ: S-C-H-M-A-L-Z, Cody, Wyoming.

9 Anyway, I am for delisting of these animals.  
10 I've watched this thing -- I've watched this thing  
11 regress for so many years into such a place.

12 I mean, you watch the news and such like  
13 that, and there's -- and read the papers, and there's  
14 people that even after there's hundreds of more grizzly  
15 bears -- we've been fighting this thing out ever since  
16 the Seventies.

17 And they told us as soon as we have 500  
18 bears, we're going to have a recoverable population.  
19 500 was lost in the shuffle long ago. Now we're  
20 talking about there could be as many as 12 or 1300  
21 bears in this ecosystem.

22 And nobody -- and continually, going back to  
23 a different part, I feel like the guy said last week at  
24 the Game and Fish meeting, he said I feel as though  
25 I've been robbed of some of my outdoor -- some of my

1 outdoor experiences because I've lived in this country,  
2 and there's times when I can't, I can't go into certain  
3 areas because there's a grizzly there. There was a  
4 trapped grizzly was dropped there.

5           They've brought in -- for example, some of my  
6 times at camp. I had camps in Yellowstone Park in the  
7 back country, and all of a sudden there's a grizzly  
8 attacked the camp or someone was hurt in an area. Some  
9 girl got eaten up there at White Lake. We had to move  
10 our whole camp.

11           We had to take -- it took me all night to  
12 haul the horses back to where my next pack group  
13 started. I had to move out of the back country because  
14 of it.

15           MS. TRAVERS: One minute.

16           MR. NEAL: Oh, God, I was just getting  
17 started here.

18           Anyway, I just -- this foolishness, to me  
19 it's foolishness. It seems to me that we're at a point  
20 to where the grizzly bear has recovered.

21           And I guess I always have to quote what the  
22 guy said when he said -- this guy that wrote in the  
23 paper this summer, he said, when there's -- he was one  
24 of the guys that filed against delisting, and I don't  
25 remember, he's from Illinois, I understand. I can't

1 tell you the article.

2 But he said, when there's 5,000 grizzly bears  
3 I'll consider withdrawing, and that's stupidity.

4 Thank you.

5 MS. TRAVERS: Thank you.

6 Leslie Patten.

7 LESLIE PATTEN: It's P-A-T-T-E-N.

8 So, hi, my name is Leslie Patten, and I live  
9 in Sunlight Basin, which is a drop-off place for bad  
10 bears.

11 I'm an avid hiker and a backpacker. I carry  
12 bear spray, and I personally feel it's a wonder and a  
13 privilege to have the grizzly bear in the ecosystem.

14 I am mainly concerned about delisting bears

15 because I'm worried that the state will start hunting

16 grizzly bears immediately. We've spent millions of

17 dollars, and 40 years later, the agency has succeeded

18 in adding 500 more bears to our ecosystem of 19 million

19 acres, and that's an incredible accomplishment.

20 And I feel the bear has recovered, a bear we  
21 almost lost, yet that also illustrates the fact that  
22 grizzly bears are the slowest reproducing mammal in  
23 North America. And I'm afraid that when the states  
24 take over management and start hunting grizzlies, then  
25 we'll start to see a decline again.

1           So, if grizzly bear delisting goes forward, I  
2   would personally like to see a five-year moratorium, a  
3   tri-state moratorium on hunting as a management tool to  
4   see how the delisting process is managed over time over  
5   five years.

6           In addition, another one of my concerns is  
7   the plan doesn't seem to take into account bears  
8   outside of the DMA that are trying to connect with  
9   bears in the Northern Rockies or that might connect.  
10   And I feel this is critical for genetics as well as the  
11   uncertainties of our changing climate along with  
12   grizzly bear food sources.

13           And just kind of in closing, besides the  
14   magnificence of these animals and the monetary value of  
15   live grizzly bears to our ecosystem versus dead grizzly  
16   bears, there's another intangible value, something that  
17   the science would address, and I haven't heard it  
18   addressed in the comments, but I just wanted to briefly  
19   touch on my own experience.

20           I've been hiking in this ecosystem for over  
21   20 years and I live in grizzly bear country up in  
22   Sunlight Basin, and in that 20 years I learned a few  
23   things about bears and a lot about myself.

24           I've learned that if I'm going to hike in  
25   grizzly bear country, I have to be awake and alert and

1     aware. And with grizzlies around, I cannot walk around  
2     just lost in thought or conversation, I have to be  
3     present.

4             And I feel this is a great gift that only a  
5     top predator like grizzly bears can give to man, and  
6     that's the power of being present in the moment, which  
7     is pressed upon us by circumstance by him being out  
8     there. We don't give ourselves that gift, only a top  
9     predator does.

10            And this can't be quantified by numbers or by  
11     the scientific method.

12            MS. TRAVERS: Thank you. Thank you.

13            Next, Nic Patrick.

14            MR. PATRICK: Nic Patrick, N-I-C,  
15     P-A-T-R-I-C-K.

16            You know, I've always felt really blessed and  
17     privileged to live in country that's wild enough to  
18     support a grizzly bear. Wilderness allows the grizzly  
19     bear and the grizzly bear kind of defines wilderness.

20            Over the past 40 years with the help of the  
21     Endangered Species Act, the Fish and Wildlife Service,  
22     the Wyoming Game and Fish, lots of dedicated  
23     individuals and NGOs, I've witnessed the return of this  
24     iconic animal.

25            Now, over the past 40 years I also have

1 experienced the gambit of living with the grizzly.  
2 From seeing it in the Yellowstone back country, deep in  
3 the Pelican Valley in 1973, to having to have the Game  
4 and Fish come trap a garbage attracted bear in 1993, to  
5 being mauled while I was irrigating on my ranch in  
6 2013.

7 And it's been apparent to citizens and  
8 scientists alike for a few years, that the bear has  
9 reached its physical carrying capacity in the GYE.

10 It is also starting to reach its social  
11 carrying capacity, and I am concerned that if we don't  
12 delist it and declare a victory and move on, it might  
13 erode the respect, acceptance and tolerance this great  
14 bear has achieved.

15 So, that's my message, let's declare a  
16 victory and move on.

17 Thank you.

18 MS. TRAVERS: Rick Felts.

19 RICK FELTS: Rick Felts, F-E-L-T-S.

20 I live west of Cody here and right on the  
21 southern edge of the ecosystem. And last year from the  
22 middle May until the middle of June, we had six bears  
23 on our property, six different documented bears on our  
24 property.

25 So, we're excited about the delisting. We're



1 excited for management to be taken over by the people  
2 that are involved with the grizzly bears locally, not  
3 people that have been managing them through emotions, a  
4 lot more emotions than they have been facts.

5 And so we're excited about them being  
6 delisted. We're excited about the change of management  
7 of them going from the federal management to the state  
8 management for the people that's involved with the  
9 bears right now.

10 So, I'd like to applaud the fact that we're  
11 getting them on the -- perhaps getting them delisted  
12 and that we can move on, like Nic said, and go onto the  
13 next venue.

14 Thank you.

15 MS. TRAVERS: Thank you.

16 Joe Kondelis.

17 JOE KONDELIS: It's Kondelis,  
18 K-O-N-D-E-L-I-S.

19 My name is Joe Kondelis. I'm here  
20 representing Yellowstone Country Bear Hunters  
21 Association. We have members in Montana, Idaho and  
22 Wyoming.

23 We are in total support of science-based  
24 conservation. And when you look at the data and  
25 everything that's been brought forth over the years,

1 not just this year, year over year the recovery  
2 criterion has been met. There's a lot of information  
3 that supports this delisting.

4 I don't know when everyone became genetical  
5 experts that think the bears have to be able to travel  
6 from Yellowstone to the northern continental divide  
7 ecosystem to be recovered. If anyone has been through  
8 some of that corridor, there's not a lot of opportunity  
9 for bears to travel.

10 So, we think that this population here is  
11 recovered and we support the delisting. We support a  
12 sustainable population of bears that one day maybe we  
13 can hunt. I'm not talking about tomorrow or the next  
14 day, but in three or four years the possibility for  
15 hunting could be there and we support that.

16 But we want a sustainable population that we  
17 can enjoy, that our kids can enjoy, but something  
18 that's managed by the states. You have Montana, Idaho  
19 and Wyoming.

20 And to Mr. Patrick's comment, social  
21 acceptance is one of the biggest issues when recovery  
22 comes of species, and certain species struggle with  
23 recovery because they don't have social acceptance.

24 And if anyone has lived in this area or the  
25 area around the GYE, you'll know that social acceptance

1 of this bear is waning.

2 One of the biggest things that could happen  
3 to change that, would be delisting and allowing for the  
4 bear to go into state control. You'll start seeing  
5 sportsmen become advocates of the bear because of the  
6 possibility of seasons one day.

7 And you'll start seeing more people become  
8 advocates of the grizzly rather than enemies.

9 So, that's our comments. We support the  
10 delisting.

11 Thank you.

12 MS. TRAVERS: Thank you.

13 Amy Gerber? (No response.)

14 MR. TRAVERS: So, that's a no?

15 MS. GERBER: Yes.

16 MS. TRAVERS: Don Getty, you also said no.

17 Breanne Thiel?

18 MS. THIEL: No.

19 MS. TRAVERS: Andy Schwab?

20 MR. SCHWAB: Negative.

21 MS. TRAVERS: Dave Ackley.

22 MR. ACKLEY: And I'm a yes.

23 My name is Dave Ackley. I live in Clark,  
24 Wyoming. A-C-K-L-E-Y, is how you spell my last name.

25 I have a unique perspective on these grizzly

1 bears. I've lived in Clark for 16 years, and prior to  
2 that time I practiced law in the Priest River, Priest  
3 Lake area in northern Idaho in the Selkirk area where  
4 there were grizzly bears. I never had a single  
5 altercation with a grizzly bear up there. I cannot say  
6 that for around here.

7 My biggest concern right now is I want state  
8 management of these things and them delisted. I'm not  
9 a big fan of the U.S. Fish and Wildlife Service and I  
10 would tell them why. And if they want to approach me  
11 afterwards, I will tell them why.

12 We need to tell the truth about grizzly  
13 bears. They don't play well with others. They are  
14 pissy, and that's how they operate. And being around  
15 them, you can't blame the humans for every time there's  
16 an altercation. That's my biggest complaint.

17 I think the state of Wyoming, from what I've  
18 seen, is perfectly capable of handling their management  
19 of these bears and they should be delisted. We can't  
20 just continue to move the goal post every time we reach  
21 500, 700, 800, 1200.

22 And when I live in Clark, until just a few  
23 years ago, the only grizzly bears I saw were in the  
24 back country. Now I'm seeing them in Clark.

25 I live in the sagebrush and they walk down my

1 road. I dang near got one last year by the fish  
2 hatchery when I was coming back from Red Lodge after  
3 dinner. And my wife can't even go walking now in the  
4 morning before work because she's afraid of running  
5 into a grizzly bear out in the sagebrush.

6 Anyway, that's what I have to say. Thanks.

7 MS. TRAVERS: Thank you.

8 J.C. Hicks, I know you said no, I'm just  
9 checking.

10 MR. HICKS: No.

11 MS. TRAVERS: Okay.

12 Tessa Fowler.

13 MS. FOWLER: Hi, my name is Tessa Fowler.

14 I'm 100% for the delisting of the grizzly bear. I  
15 spend almost every day in the back country up on the  
16 North Fork.

17 I'm -- sorry, I'm really nervous in talking  
18 to people.

19 I have spent over 20 years studying large  
20 carnivores in the wild, mainly mountain lions. I moved  
21 over here to Cody four years ago and have been living  
22 up on the North Fork for most of that time.

23 Last year I had an experience -- I am really  
24 nervous.

25 Last year I had an experience where -- I have

1 hounds, so my hounds go with me wherever I go, and I  
2 had -- the hounds were winding something down in the  
3 bottom and this was up on Clearwater.

4 So I kept walking and I had a sow grizzly  
5 growl at me, because a male boar grizzly had killed her  
6 cub that day. And if anyone had been up there that  
7 didn't have dogs, they probably would have run into  
8 her.

9 But my dogs let me know that that bear was  
10 there, and they let me know that. I was able to go and  
11 call Game and Fish and have them come and investigate.

12 But if we keep letting this go, these boars  
13 are going to kill the young. And let me tell you, I  
14 love the grizzly bear, and I love mountain lions and I  
15 do what I do because of that passion, but I hunt and I  
16 am also a conservationist.

17 And that to me is more important, is to be  
18 able to manage a predator so it doesn't get to that  
19 point where the males are killing the young and people  
20 are walking into that area and can get really hurt.

21 I guess that no one cares more about these  
22 bears than I do, but there has to be a management plan  
23 in place so people can have safety and these bears can  
24 actually get healthier but not having the older ones  
25 kill the young all the time, and this is the same with

1 lions and everything else.

2 I'm sorry, I'm really nervous.

3 But that's where I stand on delisting, I  
4 agree 100% that it should be in state management hands.

5 Thank you.

6 MS. TRAVERS: Thank you.

7 Bob Model?

8 MR. MODEL: Model. It's spelled like model.

9 My name is Bob Model. I'm chairman of the  
10 Boone and Crockett Club, America's oldest natural  
11 conservation organization. I'm also a member of the  
12 Wildlife Hunting Heritage Conservation Council, a  
13 pocket committee that reports to the Secretary of  
14 Interior and the Secretary of Agriculture.

15 I'd like to thank the U.S. Fish and Wildlife  
16 Service for recognizing it is time to delist the bear  
17 in the Greater Yellowstone Ecosystem. I'd like to  
18 thank the Wyoming Game and Fish Department for putting  
19 together a good management plan.

20 The state of Wyoming has shown for 40 years  
21 with money, time, energy and commitment, we can manage  
22 the bear.

23 The proposed delisting rule, and the draft  
24 Conservation Strategy are good documents, with one  
25 exception. It is delisting the bear in name only; not

1 in reality.

2 In the draft proposed delisting rule and the  
3 draft Conservation Strategy, the management still  
4 belongs to the Service. Once the bear is delisted,  
5 management belongs to the states. That is what the  
6 Endangered Species Act intended. That is what the  
7 public expects.

8 This can be a much needed success story for  
9 the Endangered Species Act. This means a win-win for  
10 the U.S. Fish and Wildlife Service, the states, the  
11 public, and more importantly, the bear.

12 Thank you.

13 MS. TRAVERS: Thank you.

14 Kelly Nokes.

15 MS. NOKES: My name is Kelly Nokes,  
16 N-O-K-E-S. I am an attorney in the Carnivore Campaign  
17 League for WildEarth Guardians. Guardians is a  
18 nonprofit organization dedicated to protecting and  
19 restoring the wildlife wild places, wild rivers and  
20 health of the American West.

21 I share these comments on behalf of our over  
22 121,000 supporters across the west.

23 I would first like to thank you for the  
24 opportunity to comment on the Service's proposed rule  
25 to remove Endangered Species Act protections from the



1 Greater Yellowstone Ecosystem of grizzly bears.

2 Our organization will be submitting more  
3 thorough, substantive comments on the proposed rule and  
4 associated draft Conservation Strategy and the  
5 supplements to recovery plan in writing.

6 And so, I will direct my comments to just a  
7 few brief points here.

8 First, we feel the Service's proposal is  
9 premature, both procedurally and from a recovery  
10 standpoint. Procedurally, the Service should not be  
11 proceeding with their proposed rule until the  
12 regulatory mechanism, the delisting plan relies so  
13 heavily upon, are final, in place, and are proven to be  
14 effective.

15 The Endangered Species Act requires that  
16 these adequate regulatory mechanisms first be in place  
17 before a species may be removed from the list. The  
18 Service's rule is also premature from a recovery  
19 standpoint, especially considering last year's record  
20 mortality rate from the extremely slow reproductive  
21 potential of the species.

22 We ask that the Service refrain from  
23 prematurely rushing this rule through the regulatory  
24 hoops for purely political reasons, and instead invoke  
25 the precautionary approach giving the benefit of the

1     doubt to the species first, of the agency's  
2     responsibility under the ESA demand.

3             Second, I briefly caution the agency that the  
4     manner in which they are proceeding with the delisting  
5     process for Yellowstone bears is illegal and contrary  
6     to existing case law.

7             The Service is well aware that it may not  
8     designate a distinct population segment for the sole  
9     purpose of delisting. And yet, the agency is choosing  
10    to blatantly ignore our tripartite system of government  
11    by refusing to acknowledge the clear language of the  
12    law itself, a law the Service is charged with upholding  
13    and implementing, not undermining and ignoring.

14            Finally, we have serious concerns with the  
15    proposed rule's threat analysis regarding the impending  
16    impact climate change will have on the species, the  
17    availability of adequate protein rich food resources,  
18    and the ability of Yellowstone bears to connect to  
19    other populations such as the NPDE bears and to  
20    re-populate important habitats such as the  
21    Selway-Bitterroot recovery zone.

22            Our concerns are further aggravated by state  
23    management plans that are focused primarily on opening  
24    the recovering species to a trophy hunt immediately  
25    upon delisting.

1           At the very least, the Service shouldn't be  
2    laying any potential state hunting fees, and to see how  
3    these bears fare first without federal protections  
4    before subjecting them to a potential firing line  
5    outside of national park boundaries.

6           I will leave my remaining comments for our  
7    written submission, but in short, Guardians believe  
8    that it simply premature, illegal and irresponsible for  
9    the Service to proceed with delisting in this matter.

10           Thank you.

11           MS. TRAVERS: Thank you.

12           Loren Grosskopf.

13           MR. GROSSKOPF: Thank you very much for this  
14    opportunity to speak, and welcome to Cody.

15           I'm here tonight speaking on behalf of the  
16    Park County Commissioners of Park County, Wyoming. I  
17    want to thank everybody for this opportunity in  
18    allowing the public comments in this local forum versus  
19    some remote location as far removed from the real every  
20    day impacts that we face here in Park County.

21           If for any reason the grizzly -- I'll read  
22    this real quickly if I can.

23           If for any reason the grizzly delisting  
24    effort does not move forward quickly, it is our  
25    position that the public we represent, Park County,

1 Wyoming, will become so frustrated with the progress,  
2 or lack thereof, that local support will be lost.

3 Since that support is extremely critical to  
4 any continued recovery success, without it, significant  
5 pressure will probably be exerted upon our Wyoming  
6 legislators, the Governor and the Game and Fish  
7 Department, to cease or curtail spending precious money  
8 and effort on the grizzly bear management and conflict  
9 efforts.

10 Since sportsman's dollars are helping to fund  
11 the Wyoming Game and Fish's \$2 million plus budget  
12 every year expenditures, that economic cost will  
13 certainly become a significant issue in the future.

14 It is very obvious that the grizzly bear has  
15 been successfully recovered for quite some time, since  
16 probably 2004. We sincerely hope that the U. S. Fish  
17 and Wildlife Service seriously considers supporting  
18 Wyoming's Grizzly Management Plan.

19 We believe that it allows for flexibility for  
20 future management decisions and ensures a viable,  
21 recovered and healthy grizzly bear population into the  
22 foreseeable future.

23 We do have concerns with the overreach  
24 apparent in several parts of this delisting rule and  
25 believe it's not necessary. We will be submitting

1 comments directly addressing those concerns.

2 The state of Wyoming has demonstrated its

3 strong track record as fully capable of managing

4 wildlife within its borders. The Wyoming Game and Fish

5 Department has the proven skill and expertise to

6 successfully and effectively manage the grizzly bear,

7 but we, meaning the U.S. Citizens, need to trust their

8 ability and commitment.

9 Therefore, on April 5, 2016, the Park County

10 Commissioners enacted the following Resolution No.

11 2016-08.

12 And I'll just read the last sentence of the

13 resolution.

14 "Therefore, Be it Resolved that the Board of

15 Park County Commissioners strongly support the draft

16 Wyoming Game and Fish Department's Grizzly Bear

17 Management Plan as proposed."

18 It's signed by all five of the County

19 Commissioners.

20 Thank you very much.

21 MS. TRAVERS: Thank you.

22 Mike Stewart, I know you said no.

23 MR. STEWART: It's still no.

24 MS. TRAVERS: Okay. John McGee?

25 MR. MCGEE: No.

1 MS. TRAVERS: Okay.

2 Pam Bulin?

3 MS. BULIN: No.

4 MS. TRAVERS: Okay.

5 Reagen Bebout?

6 MS. BEBOUT: No.

7 MS. TRAVERS: Shelly Kasey?

8 MS. KAISER: Sherlyn Kaiser, no.

9 MS. TRAVERS: Okay.

10 Loretta Rogers?

11 MS. ROGERS: No.

12 MS. TRAVERS: All right.

13 Bonnie Rice.

14 MS. RICE: I'm Bonnie Rice. It's spelled

15 R-I-C-E. I'm the Senior Representative for Sierra Club

16 in the Greater Yellowstone and Northern Rocky regions,

17 and I'm speaking tonight on behalf of the Sierra Club's

18 3,000 members and supporters in Wyoming, and 2.4

19 million members and supporters across the country.

20 Sierra Club opposes the Service's proposal to

21 remove Endangered Species Act protections for grizzly

22 bears in the Yellowstone region at this time. The

23 proposal fails to preserve the progress made toward

24 grizzly bear recovery; in fact, it will reverse it.

25 We need a rule and state plans that build on,

1 not detract from, the progress made in bringing this  
2 species back from the brink of extinction. It's taken  
3 40 years of federal protections to increase the  
4 population by perhaps 500 bears.

5 Yes, it is a success story, but one still in  
6 the making. There remain serious questions about  
7 population trend, the ability of Yellowstone bears to  
8 connect to other populations, and the implications of  
9 the loss of key food sources due to a change in  
10 climate. We cannot afford to ignore those questions  
11 for the sake of political expediency.

12 The proposed rule allows the population to be  
13 decreased by over 100 bears before intentional killing  
14 from hunting or management actions could be curtailed.  
15 It sacrifices bears outside of the Demographic  
16 Monitoring Area.

17 It does not have any hard commitments to  
18 allow grizzly bears to connect with other populations  
19 or re-colonize remaining wild areas where they once  
20 roamed, and it paves the way for trophy hunting of  
21 these intelligent, sentient beings.

22 The end result will be fewer bears in fewer  
23 places and a step backward for grizzly recovery unless  
24 substantial changes are made.

25 Too much is left up to the discretion of the

1 states. This process is rushed and politically driven.  
2 The public is being asked to comment on a proposal with  
3 multiple moving pieces, some not even available yet for  
4 public review, in a totally inadequate time frame and  
5 through a convoluted process. We haven't even seen  
6 draft plans from Montana or Idaho yet, and they are key  
7 for connectivity.

8 Grizzly bears were listed in 1975 under the  
9 ESA as a single entity, delisting cannot be done  
10 piecemeal. The ESA requires that populations must be  
11 "self-sustaining" in order to be considered recovered.  
12 Yellowstone's bears remain on a geographic island.

13 Delisting is premature. Grizzly bears are  
14 still too vulnerable, and without the right,  
15 enforceable plans in place could slide back toward  
16 extinction.

17 Scientific consensus using the best available  
18 data and an open and transparent process with  
19 independent verification and a precautionary approach,  
20 not politics, should drive if and when grizzly bears in  
21 the Yellowstone region are delisted.

22 Thank you.

23 MS. TRAVERS: Thank you.

24 Ken Lichtendahl?

25 MR. LICHTENDAHL: No.



1 MS. TRAVERS: Holly Kennedy?

2 MS. KENNEDY: Not at this time.

3 MS. TRAVERS: Okay.

4 Ken Hamilton.

5 MR. HAMILTON: Hi, my name is Ken Hamilton.

6 Last name is H-A-M-I-L-T-O-N.

7 I represent the Wyoming Farm Bureau  
8 Federation. On behalf of the more than 2800  
9 agricultural producers, we definitely support  
10 delisting.

11 Some of the concerns that I've heard  
12 mentioned tonight, I also share. I think that the  
13 state of Wyoming has an adequate plan in place to  
14 manage these bears. And under my reading of the  
15 Endangered Species Act, once they are delisted, that  
16 role falls to the state.

17 I don't believe that the Fish and Wildlife  
18 Service should be meddling into the management of the  
19 state's wildlife.

20 I do have some concerns with the rules  
21 provision that requires relisting if changes are made  
22 to the rules or regulations of the federal, state or  
23 tribes.

24 I believe that this will not provide for the  
25 necessary flexibility that any management of any

1 ecosystem requires. I think that the state of Wyoming  
2 needs to manage these bears based on what they learn  
3 over time, and that by allowing these states to alter  
4 their plans when they see it's necessary, this will  
5 only improve the chances that the grizzly bear will  
6 continue to recover.

7 So, on behalf of those 2800 agriculture  
8 members, I do support delisting.

9 We will submitting more detailed written  
10 comments in the process.

11 Thank you.

12 MS. TRAVERS: Thank you.

13 Curt Bales.

14 MR. BALES: My name is Curt Bales, B-A-L-E-S.

15 THE REPORTER: What about Curt?

16 MR. BALES: C-U-R-T.

17 I totally am ready for the bear to be  
18 delisted. We live and work and run a ranch in bear  
19 country, and it's way overdue.

20 Last fall we had a total of 14 bears living  
21 in the front of our house for about a month and a half.  
22 And it's just become a real safety issue; it's become a  
23 real hardship on operating a business within the  
24 recovered area.

25 I think that Game and Fish has done a

1    tremendous job for us in managing the bears, a lot more  
2    so than the Fish and Wildlife Service.

3            The population is such that it's expanded out  
4    into areas that there shouldn't be grizzly bears at  
5    this point. And it was said earlier tonight about the  
6    number situation, and I totally agree that it shouldn't  
7    go off of numbers, it should go off of habitat.

8            And obviously, down here in Ralston is not  
9    grizzly bear habitat, down on the willow woods, out on  
10   the cornfields on the flat. Yeah, maybe they were  
11   there once upon a time before we all moved into the  
12   area, but it's not prime grizzly bear habitat.

13           And so we need to look at the bottom line and  
14   say where do we want grizzly bears? Is it out here on  
15   the flats in the middle of subdivisions? I totally  
16   think that isn't where the grizzly bears ought to be.

17           Right now we got two segments of the  
18   population. We got a true wild grizzly bear out back  
19   in the back country, and then we got a domesticated  
20   grizzly bear where they're raising their young next to  
21   people, next to buildings.

22           We've had them walk between within 100 yards  
23   of a pickup with a radio blaring and a guy fixing  
24   fence, and these bears aren't afraid of people anymore.  
25   They have no respect for any part of it, whether it's

1 the vehicles, the noise, the people.

2 But you do have the wild true bears back in  
3 the back country and that's where they belong.

4 Thank you.

5 MS. TRAVERS: Thank you.

6 Joe Tilden?

7 MR. TILDEN: Thank you very much for this  
8 opportunity to speak. My name is Joe Tilden,  
9 T-I-L-D-E-N, last name. And even though I am a Park  
10 County Commissioner, tonight I'm here representing  
11 myself as a Wyoming sportsman and someone that lives in  
12 grizzly bear habitat on a daily basis.

13 Decisions on the Endangered Species Act, and  
14 in particular the grizzly bear, are to be based on the  
15 best available science. That science indicates the  
16 bear has recovered and has been for many years.

17 The grizzlies' recovery is not due to the  
18 efforts of the Fish and Wildlife Service, but due to  
19 the efforts of the people of Wyoming and the management  
20 of the Game and Fish Department.

21 The Wyoming Game and Fish Department has  
22 proven time and time again they have the expertise,  
23 through their proactive approach in mitigating  
24 bear/human conflicts and overall bear management  
25 practices, to successfully manage the bear into the

1 future.

2 Bear management in Wyoming has cost over \$40  
3 million, 90% of which has been paid for with  
4 sportsman's dollars. If the bear is not delisted, it  
5 will lose the support of the Wyoming people. The  
6 grizzly bear then will go from being the icon of  
7 Wyoming wilderness to nothing more than a pest that we  
8 have to live with.

9 If that were to occur, I would hope every  
10 sportsman would urge the state to stop all funding for  
11 grizzly bear management.

12 Thank you.

13 MS. TRAVERS: Thank you.

14 Loren Hazel. (No response.)

15 Tim Wooley?

16 MR. WOOLEY: No.

17 MS. TRAVERS: Okay.

18 Heather Carpenter.

19 MS. CARPENTER: Good evening, I'm Heather  
20 Carpenter. I am the Regional Director for the Humane  
21 Society of the United States, Western Regional Director  
22 of the Humane Society of the United States. And on  
23 behalf of the HSUS and our Wyoming supporters, thank  
24 you for this opportunity to comment on this really  
25 important issue.

1           Endangered Species protection has  
2 significantly benefited Greater Yellowstone Ecosystem  
3 grizzly bears. They have rebounded from as few as 136  
4 grizzly bears when they were first listed as threatened  
5 in 1975, to perhaps in the hundreds today.

6           But grizzly bear populations in the U.S. are  
7 neither recovered nor sustainable. Grizzly bears once  
8 ranged from northern Mexico to Alaska. Perhaps as many  
9 as 50,000 in the lower 48 states in the early 1800s  
10 before people largely killed them off.

11           Today, wild grizzly bears number at best  
12 between 1,400 and 1,700 bears in the lower 48 states.  
13 Grizzly bears are not recovered over a significant  
14 portion of their historic range. Rather, grizzly bears  
15 occupy a minuscule proportion of their historic range,  
16 in just a few small isolated areas.

17           Right now, too many grizzly bears are dying  
18 in the Greater Yellowstone Ecosystem. In 2015,  
19 approximately 70 grizzly bears, that we know of, died  
20 in the GYE from various causes. That is 10% of the  
21 entire estimated population of the slowest reproducing  
22 mammal in North America. And these bears died while  
23 they were still federally protected.

24           This rush to remove Endangered Species Act  
25 protection and place the fate of these few members of a

1 species who are not resilient to human persecution into  
2 the hands of the states of Wyoming, Montana and Idaho  
3 will court disaster for the bears.

4 After delisting, many more GYE grizzly bears  
5 will be killed as these states add trophy hunting kills  
6 to the list of reasons for dead bears.

7 Indeed, Wyoming, Montana and Idaho have  
8 already divvied up bears to be killed in their states  
9 by trophy hunters. And the HSUS is especially  
10 concerned that state managers could allow bears to be  
11 killed by unsporting methods, such as baiting and  
12 hounding.

13 Wyoming and Idaho already allow the baiting  
14 of black bears, and Idaho allows black bears to be  
15 hounded. We would respectfully urge that these methods  
16 are removed from consideration.

17 Greater Yellowstone Ecosystem grizzly bears  
18 still need federal protection to ensure they survive  
19 and thrive in the future. The Humane Society of the  
20 United States and our supporters strongly urge you to  
21 continue that protection and not adopt the proposed  
22 rule.

23 Thank you.

24 MS. TRAVERS: Thank you.

25 Jeff Metz? (No response.)

1 John D.? (No response.)

2 Ben from Bear Creek? (No response.)

3 How about Dewey Vanderhoff?

4 DEWEY VANDERHOFF: Just like it sounds.

5 I didn't bring any prepared remarks tonight.

6 I wasn't really even going to say anything, but I  
7 believe there's some major touchstones in the grizzly  
8 delisting proposal that haven't been touched.

9 We're not delisting the bear due to the best  
10 available science. What we've got going here, people,  
11 is the best available politics.

12 This proposal, the last people I want to see  
13 in charge of grizzly bears is my state of Wyoming, and  
14 I can say pretty much the same thing for Idaho and  
15 Montana, because they've proven time and time again,  
16 year after year, that they do not manage wildlife for  
17 wildlife's sake.

18 They do not manage predators and carnivores  
19 as they deserve to be managed in their rightful place  
20 in the ecosystem, observing the predator/prey  
21 relationship with the freedom and the ability to go  
22 where their range will support them.

23 What is sorely lacking in this grizzly  
24 delisting proposal, is any amount of interconnectivity  
25 with other grizzly habitat.



1           Specifically, we need to take any excess,  
2 surplus bears over some imaginary number in behind an  
3 imaginary fence in Wyoming, we need to take them to  
4 some of these other places that need bears,  
5 Selway-Bitterroot, anywhere in Idaho. There are lots  
6 of places.

7           There needs to be a corridor straight west  
8 from Yellowstone through the Red Rock Lake's refuge to  
9 connect into Idaho and up north. There are places in  
10 Wyoming that don't have bears yet that truly deserve  
11 them.

12           Yes, we may have 700 bears out there. I  
13 don't believe that number. The science to me has always  
14 been questionable. It's really too bad Chris Servheen  
15 isn't here tonight, I'd like to have a few private  
16 words with him afterwards.

17           But this proposal is not an example of good  
18 wildlife conservation and sustainability. Forty years  
19 ago, before we started spending \$40 million on grizzly  
20 recovery, you couldn't find ten scientists in this  
21 country that would say that climate change was going to  
22 amount to anything.

23           Now, today, 40 years later, you can't find  
24 ten scientists in this country that won't tell you  
25 climate change has to be reckoned with.

1 I believe this bear proposal is premature.

2 Bears cannot remain on the island. The Demographic  
3 Management Area is a zoo zone, and if we can move a  
4 Panda bear from the bamboo forest of China to  
5 Washington, D.C., we can take a grizzly bear from the  
6 North Fork over to the Selway-Bitterroot.

7 I see nothing in Fish and Wildlife Service's  
8 and the state plans that allow for the bear to be the  
9 bear, where the bear needs to go, and the bear needs to  
10 live, and we need to start working that way.

11 I'm disappointed after 40 years that this is  
12 as far as we've got, best available politics.

13 Thank you.

14 MS. TRAVERS: Thank you.

15 We have called all the names of the  
16 registered speakers. If there is anyone else who would  
17 like to speak this evening, please register at the  
18 registration table and we will call you to the  
19 microphone in a few minutes.

20 We have no additional speakers, however, the  
21 hearing will remain open until 8:00 p.m. We will take  
22 a recess until we register additional speakers.

23 Please take advantage of this opportunity to  
24 visit with the Wildlife staff and managers.

25 We are off the record.

1 (Off the record.)

2 MS. TRAVERS: We are back on the record.

3 John Baughman?

4 MR. BAUGHMAN: B-A-U-G-H-M-A-N.

5 I'm John Baughman, I live here in Cody. I  
6 don't represent anyone, unemployed.

7 Four quick points. Looking back at history,  
8 we've kind of rewritten it. The grizzly bears were  
9 never threatened or jeopardized by legal sport hunting.  
10 The bears were largely jeopardized by removals for  
11 livestock protection and public safety protection.

12 Most of the livestock removals were done by  
13 the Department of Interior, who is now being asked to  
14 continue to manage the beast through shooting,  
15 trapping, poison baits and broadcast poisoning with  
16 1080 for many, many years until the Nixon  
17 administration.

18 The Wyoming Game and Fish Department at  
19 several times already closed the sport hunting for  
20 grizzly bears before they were listed. The last time  
21 they were hunted I believe was 1974. Five bears were  
22 harvested.

23 The Wyoming Game and Fish Commission had  
24 recommended close season before they were listed for  
25 threatened species. So they're demonstrated very

1 responsible management back when it was under their  
2 control.

3 Right now, contrary to popular belief, the  
4 bear is largely managed by the Wyoming Game and Fish  
5 Department. The public education, most of the law  
6 enforcement, there's only one federal agent in this  
7 part of the state.

8 There's dozens of Wyoming Game and Fish  
9 Department enforcement people protecting the bear,  
10 conflict resolution, damage prevention, monitoring,  
11 research, Game and Fish Department is doing that right  
12 now.

13 The Fish and Wildlife Service is largely  
14 handling coordination of the regulation protecting the  
15 bear.

16 Third, best predictor of what a person or an  
17 entity will do in the future is what they're done in  
18 the past. The Game and Fish Department responsibly  
19 managed the bears for many years from the turn of the  
20 century, including responsible sport hunting.

21 They right now manager other carnivores,  
22 black bears, mountain lions so conservatively that most  
23 people who live in Wyoming will know there's many  
24 nuisance situations right now because they're managed  
25 so conservatively.

1           And finally, the issue of politics versus  
2 science comes up. We often said that because of  
3 politics the bear stays listed. Now people are saying  
4 because of politics they're being delisted.

5           But if there's not enough information on  
6 grizzly bears, which has virtually more information on  
7 it that any of the 600-plus species Wyoming Game and  
8 Fish Department manages, then we're never going to have  
9 scientific management of any species.

10           Thank you.

11           MS. TRAVERS: Thank you.

12           Steve Torrey?

13           MR. TORREY: I wasn't going to comment.

14           MS. TRAVERS: Okay.

15           So we have called all the names of the  
16 registered speakers. We will take another recess until  
17 we register more.

18           (Off the record.)

19           MS. TRAVERS: Back on the record.

20           It is now 8:00 p.m. On behalf of the U.S.  
21 Fish and Wildlife Service, we appreciate the time and  
22 effort you took this evening to present your comments.  
23 They have been very informative and will be fully  
24 considered in coming to a final decision.

25           The hearing is closed. We are off the

1 record.

2 (Whereupon, the hearing was concluded at 8:00  
3 p.m.)

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REPORTER'S CERTIFICATE

CASE TITLE: Yellowstone Grizzly Bear Delisting

HEARING DATE: April 11, 2016

LOCATION: Cody Holiday Inn, Cody, Wyoming

I hereby certify that the proceedings and evidence herein are contained fully and accurately on the stenographic notes reported by me at the hearing in the above case before the U.S. Fish and Wildlife Service, and that this is a true and correct transcript of the same.

DATE: April 17, 2016



Frances L. Mock  
Big Sky Reporting  
2308 Interlachen Circle  
Billings, Montana 59105





This is a public Hearing regarding the Greater Yellowstone Ecosystem Grizzly Bear Delisting. Please begin to take your seats. We are now on the record.

Opening

Good evening and welcome to this public hearing. My name is **Lesley Travers** and I will be your hearing officer tonight. My role is to conduct this hearing in order that we receive your comments accurately into the record and to allow as many of you as possible any opportunity to comment on the proposed delisting rule for the Greater Yellowstone Ecosystem grizzly bear. I represent no point of view about grizzly bears or their recovery/delisting. I am not affiliated with the U.S. Fish and Wildlife Service and I don't represent them. My purpose here tonight is to help things run smoothly and to allow as many of you as possible an opportunity to comment on the U.S. Fish and Wildlife Service's proposal to remove the grizzly bear in the Greater Yellowstone Ecosystem from the List of Endangered and Threatened Wildlife.

If you have already signed in, or if you any questions you will find a registration table just outside this room with Fish and Wildlife Service staff to assist you and answer your questions. This is a public hearing under Section 4(b)(5)(E) of the Federal Endangered Species Act, as amended. Notice of the public hearing was published in the Federal Register on March 11, 2016, in volume 81 of the Federal Register, on pages 13174-13227. The comment period ends at the close-of-business on May 10, 2016. After review and consideration of your comments and all other information gathered during this comment period, the U.S. Fish and Wildlife Service expects to make a final determination on the proposal in 2016.

The purpose of the hearing is to receive your comments on the proposal. Comments on all aspects of the proposal are very important and will be carefully considered. Because of the importance of your comments, it is necessary that we follow certain procedures this evening. If you want to present comments at this hearing, please register at the table outside this room. When you register, indicate any organization that you are representing in your comments today. I will call speakers in the order they are register. Your comments tonight will be recorded and transcribed by a court recorder. Both the transcript and all written comments will be reviewed by the U.S. Fish and Wildlife Service in considering its final decision to remove the grizzly bear in the Greater Yellowstone Ecosystem from the List of Endangered and Threatened Wildlife.

A website and mailing address is also available at the information table for the additional wolf information and comments.

Members of the public be given 3 minute slots for the duration of the public hearing. I will check with the court reporter periodically to see if she needs a short break to recover.

Smoking is not permitted in the Holiday Inn. If the crowds are large, we must abide by the Fire Marshall's recommendation for room capacity.

I will call speakers in the order which they are provided to me by the registration desk. When you are called to present your comments, please come forward to the microphone in front. Please begin your presentation by stating your full name, spell it for the record, and indicate if you represent an organization. If you are reading your comments, please take care to read them slowly enough for the court reporter to understand. Also, if possible, please provide the court reporter a written copy of the comments you read. Your comments are being recorded by the reporter to preserve them for the record. Please keep in mind that the reporter will not record any statements from the audience or statements which are made to the audience. Comments must be made directly into the microphone, facing the front of the room.

Instead of presenting oral comments here tonight, or in addition to oral comments, you may submit comments in writing. There are no limits on the length of written comments. Written comments may be submitted to the staff at the registration table, or they may be submitted by one of the following methods:

- (1) Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS-R6-ES-2016-0042, which is the docket number for this rulemaking. Then click on the "Comment Now!" button.
- (2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: Docket No. FWS-R6-ES-2016-0042, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

This information is available at the registration table just outside the room.

The U.S. Fish and Wildlife will not accept email or faxes and will post all comments on <http://www.regulations.gov>. We appreciate everyone's cooperation in minimizing distractions. As this is a formal public hearing and testimony only, we cannot allow questions, comments, applause, jeers or demonstrations. The hearing is scheduled to adjourn at 8:00 p.m.

Earlier today at the Holiday Inn, an open house provided an opportunity for the public to ask questions and obtain additional information on the Service's proposals. This hearing provides you with an opportunity to provide testimony on this same subject. Written comments submitted tonight or by regular mail or electronic mail will receive the same review by Service officials.

I would like to introduce

- Matt Hogan, Deputy Regional Director in the Mountain-Prairie Region; and
- Chris Servheen, Grizzly Bear Recovery Coordinator

They are here to just listen to your testimony and are not here to answer questions. They will take a few minutes to briefly summarize the proposed rule. After their rule presentation, I will go over the instructions for tonight's public hearing and ask for testimonies to begin. The hearing will adjourn at 8:30 tonight.

Matt will briefly discuss the proposed rule.

Matt: We, the U.S. Fish and Wildlife Service, are proposing to remove the grizzly bear in the Greater Yellowstone Ecosystem from the List of Endangered and Threatened Wildlife. The best scientific and commercial data available indicate that grizzly bears in the GYE are recovered and no longer meet the definition of endangered or threatened under the Endangered Species Act of 1973, as amended. The GYE grizzly bear population is stable, threats are addressed, and a post-delisting monitoring and management framework has been developed. However, additional changes to laws and regulations in the States of Idaho, Montana, and Wyoming are necessary for implementation. We expect the States of Idaho, Montana, and Wyoming to adopt the necessary statutory and regulatory changes within the next several months. If this proposal is finalized, the grizzly bear would be delisted in the GYE and future management for this species, except in National Parks and National Wildlife Refuges, would be conducted by the appropriate State or Tribal wildlife agencies. We seek information, data, and comments from the public about this proposal including the post-delisting monitoring and management framework.

Are there any questions related to the procedures or ground rules before we begin? If not, we will get started. The first speaker is..... please come to the microphone, state your name and spell it for the record, identify who you represent and begin your comments.

Conditional Statements:

(At any time necessary) At this time we will take a XXX minute break. We are off the record. We will reconvene the hearing now. We are on the record.

We have called all the names of registered speakers. If there is anyone else who would like to speak this evening, please register at the registration table and we will call you to the microphone in a few minutes. We have no additional speakers; however, the hearing will remain open until 8:00 p.m. We will take a recess until we register additional speakers. Please take advantage of this opportunity to visit with the Wildlife staff and managers. We are off the record.

**Closing the Hearing:** It is now 8:00 p.m. On behalf of the U.S. Fish and Wildlife Service, we appreciate the time and effort you took this evening to present your comments. They been very informative and will be fully considered in coming to a final decision. The hearing is closed. We are off the record.

I'd like to thank the U.S. Fish & Wildlife Service for recognizing it is time to delist the bear in the Greater Yellowstone Ecosystem. I'd like to thank the Wyoming Game & Fish Department for putting together a good management plan.

The state of Wyoming has shown for 40 years with money, time, energy and commitment we can manage the bear.

The Conservation Strategy is a good document, with one exception. It is delisting the bear in name only; not in reality. In the draft Conservation Strategy the management still belongs to the Service. Once the bear is delisted, management belongs to the states. That is what the ESA intended. That is what the public expects. This can be a much needed success story for ESA. This means a win-win for the Service, the states, the public, and more importantly, the bear.

Bob Model  
Chairman Boone + Crockett Club  
member WHHCC

THANK FOR OPPORTUNITY ALLOWING PUBLIC  
COMMENTS IN THIS LOCAL FORUM VS SOME

Statement from the Park County Commissioners:

REMOTE LOCATION FAR REMOVED  
FROM REAL EVERYDAY IMPACT

If for any reason the grizzly de-listing effort does not quickly move forward, it is our position that the public that we represent (Park County Wyoming) will become so frustrated with the process (or lack thereof) that local support will be lost. Since that support is extremely critical to any recovery success, without it, significant pressure will probably be exerted upon our Wyoming legislators, Governor and the G&F department to cease or curtail spending precious money and effort on grizzly bear management and conflict efforts.

Since sportsman dollars are helping to fund the Wyoming Game & Fish's \$2 million plus expenditure each year, that economic cost will certainly become a significant issue.

It is very obvious that the grizzly has been successfully recovered for quite some time (since at least 2004). We sincerely hope that the US Fish & Wildlife Service seriously considers supporting Wyoming's Grizzly Management Plan. We believe that it allows flexibility for future management decisions and ensures a viable, recovered and healthy grizzly bear population into the foreseeable future. We do have concerns with the overreach apparent in several parts of the delisting rule and believe it is not necessary. We will be submitting comments to address those concerns. The State of Wyoming has demonstrated by its strong track record that it is fully capable of managing wildlife within its borders. The Wyoming G&F department has the proven skill and expertise to successfully and effectively manage the grizzly bear but we (meaning the US citizens and federal agencies) need to trust their ability and commitment. Therefore, on April 5, 2016, the Park County Commissioners enacted the following Resolution #2016-08:

READ BY LOREN GROSSKOPF

PARK COUNTY COMMISSIONER

**RESOLUTION # 2016-08**

**TITLE: PARK COUNTY COMMISSIONERS' SUPPORT FOR THE  
WYOMING GAME AND FISH DEPARTMENT'S  
DRAFT GRIZZLY BEAR MANAGEMENT PLAN**

WHEREAS, the Wyoming Game and Fish Department (WGFD) has been actively involved in managing grizzly bears throughout the time of its listing under the ESA. The WGFD currently provides the bulk of on-the-ground management for grizzlies and is in large part responsible for gains in grizzly bear recovery. Under status as recovered, the grizzly bear should be managed by Wyoming along with the rest of Wyoming's wildlife. To allow the management plan to function as it is intended, it is essential that full administrative management authority be granted to the state. The WGFD has extensive knowledge and experience in managing this and other sensitive species and has adequate planning in place for future management of grizzlies including limited hunting opportunities.

**THEREFORE BE IT RESOLVED** that the Board of Park County Commissioners strongly supports the draft Wyoming Game and Fish Department's Grizzly Bear Management Plan as proposed.

**BOARD OF COUNTY COMMISSIONERS  
PARK COUNTY, WYOMING**

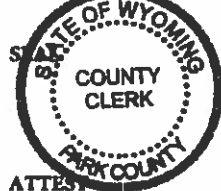
  
Tim A. French, Chairman

  
Lee Livingston, Vice Chairman

  
Loren Grosskopf, Commissioner

  
Bucky Hall, Commissioner

  
Joseph E. Tilden, Commissioner



ATTEST

  
Colleen Renner, County Clerk

**Bonnie Rice**, Senior Representative for Sierra Club in the GYE and NR regions. I'm speaking tonight on behalf of Sierra Club's 3,000 members and supporters in Wyoming and 2.4 million members and supporters across the country.

Sierra Club ~~strongly~~ opposes the Service's proposal to remove Endangered Species Act protections for grizzly bears in the Yellowstone region at this time. The proposal fails to preserve the progress made toward grizzly bear recovery; in fact it will reverse it. We need a rule and state plans that build on, not detract from, the progress made in bringing this species back from the brink of extinction. It's taken forty years of federal protections to increase the population by perhaps 500 bears. Yes, it is a success story – but one still in the making. There remain serious questions about ~~actual~~ population ~~numbers and~~ trend, the ability of bears to connect to other populations, and the implications of the loss of key food sources due to a changing climate. We cannot afford to ignore those questions for the sake of political expediency.

The proposed rule allows the population to be decreased by over 100 bears before intentional killing could be curtailed, sacrifices bears outside of the Demographic Monitoring Area, does not have any hard commitments to allow grizzly bears to connect with other populations or recolonize remaining wild areas where they once roamed, and paves the way for trophy hunting of these intelligent, sentient beings. The end result will be fewer bears in fewer places and a step backward for grizzly recovery unless substantial changes are made. Too much is left up to the discretion of the states, ~~which have historically been biased against conservation of native large carnivores, in favor of promoting higher ungulate populations.~~ (And the proposal completely dismisses current and future impacts of climate change, definitively saying, incredibly, that somehow the Service knows that climate change will not be a factor in the future that could impact bears' survival.)

~~It's clear that~~ This process is rushed and politically driven. The public is being asked to comment on a proposal with multiple moving pieces, some not even available yet for public review, in a totally inadequate time frame and through a convoluted process. (We haven't even seen draft plans from Montana or Idaho yet, and they are key for connectivity.)

Grizzly bears were listed in 1975 under the ESA as a single entity, delisting cannot be done piecemeal. The ESA requires that populations must be "self sustaining" in order to be considered recovered. Yellowstone's bears ~~continue to exist~~ remain on a geographic island.